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C O N F I D E N T I A L KUWAIT 000758

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STATE FOR T, PM, L/T, NEA/ARP, NEA/FO
TUNIS FOR NATALIE BROWN

E.O. 12958: DECL: 03/06/2014

TAGS: [PREL](#) [MARR](#) [PGOV](#) [KJUS](#) [KU](#)

SUBJECT: (C) ARTICLE 98: GOK TO NOTIFY US AGREEMENT IS IN
FORCE

REF: KUWAIT 473 AND PREVIOUS

Classified By: AMB. RICHARD H. JONES; REASON 1.4 (B, D)

1. (C) Ambassador emphasized to Foreign Minister Shaykh Dr. Mohammed al-Sabah March 6 that it is important to the USG to have an Article 98 agreement in force even if Kuwait decides not to ratify the Rome Statute, and that we believe it is in Kuwait's interest also. The Minister confirmed that the GOK has decided not be a party to the Statute; he added that according to the MFA Legal Department, there is thus no need for parliamentary ratification of the Article 98 agreement signed with U/S Bolton last June 18. Dr. Mohammed stressed that the GOK does "not want to go to parliament."

2. (C) Ambassador reminded him that all we need in order for the Article 98 agreement to enter into force is the GOK's dipnote confirming that all domestic legal requirements have been met, similar to the note we have already submitted. Undersecretary Khaled al-Jarallah, sitting beside the Minister, remarked that this is "easy."

3. (C) COMMENT: This was the clearest indication yet of GOK willingness to bring the Article 98 agreement into force. We will follow up to maintain this momentum and achieve closure.

JONES